

CR 19 00056

NC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

JIZHONG CHEN

FILED
JAN 31 2019
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

INDICTMENT

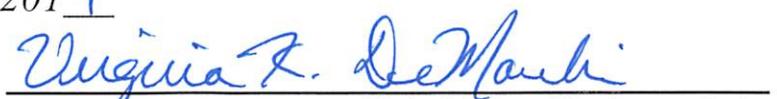
COUNT ONE- (18 U.S.C. § 1832(a)(2) – Theft of Trade Secrets)

A true bill.



Foreperson

Filed in open court this 31 day of January
A.D. 2019



United States Magistrate Judge

Bail. \$ No process

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1 ALEX G. TSE (CABN 152348)
2 Attorney for the United States,
3 Acting Under the Authority
4 Conferred by 28 U.S.C. § 515
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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

EJD

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JIZHONG CHEN,

15 Defendant.

Case No. CR 19 00056 NC

) VIOLATION: Title 18, United States Code, Section
) 1832(a)(2) – Theft of Trade Secrets;
) 18 U.S.C. §§ 1834 & 2323 –Criminal Forfeiture.

) SAN JOSE VENUE

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19 INDICTMENT

20 The Grand Jury charges:

21 COUNT ONE: (18 U.S.C. § 1832(a)(2) – Theft of Trade Secrets)

22 On or about December 19, 2018, in the Northern District of California, the defendant,

23 JIZHONG CHEN,

24 with the intent to convert a trade secret related to a product and service used in and intended for use in
25 interstate and foreign commerce, specifically, images of autonomy architecture, to the economic benefit
26 of a person other than the trade secret's owner, and knowing and intending that the offense would injure
27 the owner of that trade secret, Apple Inc., knowingly and without authorization photographed said trade
28 secret.

In violation of Title 18, United States Code, Section 1832(a)(2).

FORFEITURE ALLEGATION: (18 U.S.C. §§ 1834 and 2323 – Proceeds and Property Involved in Theft of Trade Secrets)

The allegations contained in Count 1 of this Indictment are hereby re-alleged and incorporated as if fully set forth here. Upon conviction of any of those offenses, the defendant,

JIZHONG CHEN,

7 shall forfeit to the United States of America, pursuant to Title 18, United States Code, Sections 1834
8 and 2323, any property used, or intended to be used, in any manner or part to commit or facilitate the
9 commission of the offenses, and any property constituting or derived from any proceeds obtained
10 directly or indirectly as a result of the commission of the offenses.

2. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,

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1 United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2323(b).

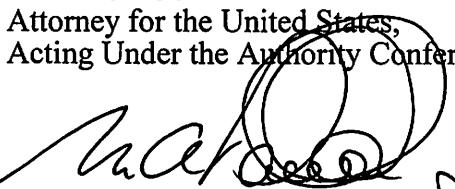
2 All pursuant to Title 18, United States Code, Sections 1834 and 2323.

3 DATED: 1-31-19

4 A TRUE BILL.

5 
6 FOREPERSON

7 ALEX G. TSE
8 Attorney for the United States,
9 Acting Under the Authority Conferred by 28 U.S.C. § 515

10 JOHN H. HEMANN  for
11 Deputy Chief, Criminal Division

12 (Approved as to form: )
13 AUSA MATTHEW A. PARRELLA
14 AUSA MICHELLE KANE

| DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT | | | | | |
|---|--|--|---|--|--|
| BY: <input type="checkbox"/> COMPLAINT <input type="checkbox"/> INFORMATION <input checked="" type="checkbox"/> INDICTMENT <input type="checkbox"/> SUPERSEDING | | | Name of District Court, and/or Judge/Magistrate Location NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION | | |
| OFFENSE CHARGED Count One: 18 USC 1832(a)(2) - Theft of Trade Secrets | | | <input type="checkbox"/> Petty <input type="checkbox"/> Minor <input type="checkbox"/> Misdemeanor <input checked="" type="checkbox"/> Felony | | |
| PENALTY: 10 years imprisonment, \$250,000 fine, \$100 special assessment, 3 years' supervised release | | | DEFENDANT - U.S. JIZHONG CHEN DISTRICT COURT NUMBER CR 19 00056 EJD | | |
| PROCEEDING Name of Complainant Agency, or Person (& Title, if any) FBI S/A Jonathan Abel | | | DEFENDANT NC IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding. 1) <input type="checkbox"/> If not detained give date any prior summons was served on above charges FILED 2) <input type="checkbox"/> Is a Fugitive 3) <input checked="" type="checkbox"/> Is on Bail or Release from (show District) AN 31 2019 NDCA CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE | | |
| <input type="checkbox"/> person is awaiting trial in another Federal or State Court, <input type="checkbox"/> give name of court | | | SHOW DOCKET NO. this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District | | |
| <input type="checkbox"/> this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District | | | MAGISTRATE CASE NO. this is a reprocution of charges previously dismissed which were dismissed on motion of: <input type="checkbox"/> U.S. ATTORNEY <input type="checkbox"/> DEFENSE | | |
| this prosecution relates to a pending case involving this same defendant | | | CR-19-70117 MAG <input type="checkbox"/> prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under | | |
| Name and Office of Person Furnishing Information on this form David L. Anderson <input checked="" type="checkbox"/> U.S. Attorney <input type="checkbox"/> Other U.S. Agency | | | DATE OF ARREST DATE TRANSFERRED TO U.S. CUSTODY If answer to (6) is "Yes", show name of institution Has detainer <input type="checkbox"/> Yes been filed? <input type="checkbox"/> No } If "Yes" give date filed Month/Day/Year Or... if Arresting Agency & Warrant were not Month/Day/Year | | |
| <input type="checkbox"/> This report amends AO 257 previously submitted | | | | | |
| ADDITIONAL INFORMATION OR COMMENTS | | | | | |
| PROCESS: <input type="checkbox"/> SUMMONS <input checked="" type="checkbox"/> NO PROCESS* <input type="checkbox"/> WARRANT If Summons, complete following: <input type="checkbox"/> Arraignment <input type="checkbox"/> Initial Appearance Defendant Address: <hr/> Date/Time: _____ Before Judge: _____ | | | | | |
| * Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment | | | | | |
| Comments: _____ | | | | | |